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Attorneys for Defendant
Kent H. Roberts

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

KENT H. ROBERTS,

Defendant.

Case No. C 07-04580 MHP

**STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS**

1 Counsel report that they have met and conferred regarding ADR and that they have
2 reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

3 Both parties are agreeable to mediation. Defendant Roberts, however, submits that it will
4 not be possible for him to participate meaningfully in any ADR process until after the conclusion
5 of proceedings in the related criminal matter, *U.S. v. Kent H. Roberts*, 07-0100-MHP, currently
6 set for trial on April 15, 2008 before this Court. Plaintiff Securities and Exchange Commission is
7 willing to participate in ADR processes before then but understands Defendant Roberts' position
8 in this regard.

9 Accordingly, the parties agree to participate in mediation (ADR L.R. 6) following the
10 conclusion of proceedings in the criminal matter.

11 DATED: November 15, 2007

COOLEY GODWARD KRONISH LLP

13
14 /s/

William S. Freeman

15 Attorneys for Defendant
16 KENT H. ROBERTS

17 DATED: November 15, 2007

SECURITIES AND EXCHANGE
COMMISSION

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20 /s/

Stephen L. Cohen

21 Attorneys for Plaintiff
22 Securities and Exchange Commission
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[PROPOSED] ORDER

Pursuant to the Stipulation above, the captioned matter will be referred to mediation upon the conclusion of proceedings in the related criminal matter, U.S. v. *Kent H. Roberts*, 07-0100-MHP.

IT IS SO ORDERED.

Dated: _____

THE HONORABLE MARILYN H. PATEL
UNITED STATES DISTRICT JUDGE